



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

WMN:JDL
F.#2011R00343

271 Cadman Plaza East
Brooklyn, New York 11201

March 11, 2011

By ECF and Hand

The Honorable Dora L. Irizarry
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Pauline Wiltshire
Criminal Docket No. 11-164 (DLI)

Dear Judge Irizarry:

The government respectfully submits this letter in response to the defendant's letter of earlier today, which requested that the above-captioned case be assigned to the Hon. Jack B. Weinstein as related to United States v. Gabriel, 10 CR 588 (JBW). The defendant's letter is improperly before this Court, as the application should have been made to Judge Weinstein pursuant to Rule 50.3(c) of this Court's Rules for the Guidelines for the Division of Business Among District Judges, which states that an application to relate two cases should be

addressed "to the judge presiding over the earlier assigned case."¹ For this reason, this Court should deny the application.

Respectfully submitted,

LORETTA E. LYNCH
UNITED STATES ATTORNEY

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cc: Paul S. Kish, Esq. (by ECF)

¹ The government notes that, while it had one discussion with defense counsel regarding the potential relation of the two cases after the Wiltshire case had been indicted, it was not informed that the defendant would be filing an application, as required by Rule 50.3(c). The government will likely not oppose an application, if filed before Judge Weinstein.